



U.S. Department of Justice

United States Attorney  
Southern District of New York

## MEMO ENDORSED

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

November 14, 2007

## By Facsimile

Honorable Denny Chin  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007**USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 11/19/2007**Re: United States v. Rafael Jimenez and Gilbert Cespedes,  
07 Cr. 843 (DC)

Dear Judge Chin:

The Government writes to respectfully request an exclusion of time under the Speedy Trial Act in this matter, from today until November 30, 2007. The parties were scheduled to appear today before the Court for a pretrial conference. However, the defendants, who are in custody, were not produced. Therefore, the conference was rescheduled for November 30 at 2:30 p.m., a time convenient for the Court and the parties. An exclusion of time is in the interests of justice, and it outweighs the public's and the defendants' interests in a speedy trial, because it will allow the defendants to continue reviewing the discovery (which has been produced by the Government) and to consider filing any motions. I have spoken with counsel for both defendants, and both consent to the requested exclusion of time. Thank you for your consideration of these matters.

Respectfully submitted,

MICHAEL J. GARCIA  
United States Attorney**APPLICATION GRANTED.  
SO ORDERED**  
Denny Chin, U.S.D.J.By: Jessica A. Masella  
Assistant United States Attorney  
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Counsel for Rafael Jimenez